UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :
                                                                :
OPENAI, INC.,   :   25-md-3143 (SHS) (OTW)
COPYRIGHT INFRINGEMENT LITIGATION,   :
                                                                :
                                                                :   **ORDER**
This Document Relates To: :
23-CV-8292   :
23-CV-10211   :
24-CV-0084
25-CV-3291
25-CV-3482
25-CV-3483

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ONA T. WANG, **United States Magistrate Judge**:

The Court is in receipt of ECF Nos. 156, 159, 197, and 201-18.

In ECF 156/159, Class Plaintiffs seek a conference regarding "OpenAI's improper withholding of documents based on unsupported and unspecified claims of privilege," contending that "OpenAI's supplemental privilege log does not satisfy OpenAI's burden to substantiate its claim of privilege." (ECF 159 at 1).

The Court has warned the parties multiple times that "[i]f it is clear on the face of the papers or becomes clear at future conferences that the parties have not fully met and conferred in a good faith attempt to resolve the dispute, the Court may deny any such motion outright." (ECF 78 at 2). OpenAI represents that "when OpenAI asked Class Plaintiffs to meet and confer, Class Plaintiffs ignored OpenAI's request and filed the instant motion, contrary to the Court's express instructions and Individual Practices," and "refused to discuss, or provide any particularized objection to, OpenAI's amended log." (ECF 197 at 1). Class Plaintiffs' own

submission does not indicate that they fully met and conferred with OpenAI on this issue. (ECF 159 at 1-2).[1]

Because Class Plaintiffs failed to fully meet and confer with OpenAI on the issues raised in ECF 159, their motion is **DENIED without prejudice to renewal.**[2] The parties are directed to meet and confer on this issue, and the parties should be prepared to update the Court on the status of this dispute at the June 25, 2025, conference. The Court will not hear oral argument on this issue at the June 25 conference.

The Clerk of Court is respectfully directed to close ECF 156.

SO ORDERED.

s/ Ona T. Wang

Dated: June 24, 2025   **Ona T. Wang**
      New York, New York   United States Magistrate Judge

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[1] "On June 4, 2025, Plaintiffs informed OpenAI that its revised log did not alleviate Plaintiffs['] concerns that the underlying documents are not privileged for the reasons explained at *Authors Guild* Dkt. 349. On June 10, 2025, Plaintiffs asked OpenAI to confirm that it would provide certain documents to the Court for in-camera review. OpenAI failed to confirm, and Plaintiffs filed the instant motion." (ECF 159 at 1-2).

[2] The Court notes that Plaintiffs' filing fails to indicate which case(s) it applies to, (*see* ECF 14 at 2) (requiring all filings to indicate which actions the filing applies to, or "All Actions"), and the parties' joint chart does not include hyperlinks to the relevant filings on the docket. (*See* ECF 25) ("[J]oint dispute charts should identify: … (4) hyperlinks to relevant ECF filings cited.").